so, I maintain they become blots on

American civilization, and a menace to

the public welfare, and are no longer

well meaning citizens. I would like to

know who can show respect for Judge

Humphreys, who has done all that and

worse, and put on the verge of bank-

his duty to protect-and all to get the

With a man of Humphreys' caliber

The best and truest friend the Kona.

Sugar Company ever had was Mr.

he has not done so, it was no fault of

whom it would have been

ESTABLISHED JULY 2, 1856

OFESSIONAL CARDS.

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INSURANCE. THE MUTUAL LIFE INSURANCE

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Oriental Bazaar! Phong Fat Co.

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Chinese Silks and Sateens sold by the yard.

Fine Table Linen. Rich Embroideries. Elegant Carved Ebony Furni-

Teas, Jewelry, Vases. Rattan Goods-all kinds.

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WHOLESALE

Wine and Liquor Deaters

Waverley Block, BETHEL ST.

Receiver Would Sell Kona at

OFF PROCEEDING

Auction.

Laborers Threaten to Destroy Plantation-No Hope Extended to Them by Wundenberg.

The Kona Sugar Company plantation appears to be doomed unless it is taken out of the courts. Receiver Wundenberg yesterday applied to Judge Humphreys for an order to sell the property at public auction, but upon the urgent requests of the parties most interested in the plantation, a continuance was granted for a short time. In the meantime the laborers threaten to destroy the property unless the steamer leaving for the place today brings some promise of relief. The manager reports conditions there most serious, with the Japanese on the point of insurrection, and he begs that some definite word be sent on today's steamer, or he will be powerless to avert the impending disaster, but Receiver Wundenberg gives no hope.

Receiver Wundenberg presented his application for an order to sell the property yesterday morning, but it of the motion, and they were up in arms when Judge Humphreys set it for afternoon. The motion was in the fol-

Now comes F. W. Wundenberg, the Alfred Magoon and Thomas I. Dillon, and respectfully shows to this court:

1. That on the 28th day of February, A. D. 1902, he filed in said court his report herein, a copy of which is hereto attached and made a part hereof, and to which reference is here-

2. That C. Brewer & Co. had led your receiver to believe they would in all probability advance the funds necessary to carry on the business of the said Kona Sugar Co., Ltd., and to prosecute the work of the said plantation, and, among other things, complete the mill and take off the crop of cane now growing on said lands, but that said C. Brewer & Co. have refused to advance said funds, and your receiver has made every effort to obtain the funds necessary therefor from other persons without success, and your receiver believes that it is impossible to get the funds necessary for the aforesaid purpose.

That your receiver is fully satisfied that it is necessary for the protection and preservation of the property of the said Kona Sugar Co., Ltd., and the said plantation, that immediate steps be taken to sell and dispose of the said property; that delay in completing the mill will entail a loss of the present crop of about 3,000 tons of sugar, which will irreparably cripple and injure the said Kona Sugar Co.,

4. That it would be to the best interest of all parties to the litigation herein if the entire property and estate of the said Kona Sugar Co., Ltd., be sold at public auction.

Wherefore, your receiver prays for an order of this honorable court instructing your receiver as to what he shall do in the premises F. WUNDENBERG.

Receiver Kona Sugar Co., Ltd. ATTORNEYS OBJECT.

F. W. Hankey, appearing for the

plaintiffs, M. W. McChesney & Sons, arose immediately and objected to a hearing of the motion at that time. "I assume that you have read the petition," said he, addressing the court. I object to its consideration at this for hearing already. I saw Mr. Brown, and he had not received a copy as yet. and other parties are in the same posigravity, and there is nothing in the petition to show that it is needed to satisfy any of the parties to the action. I represent the plaintiff, and

this be set for the hearing." Attorney Dillon, appearing for Mr. Wundenberg, stated that the reason time, was the fact that the steamer



left today (Tuesday), and from a letter received by the receiver, from Manager Cowan, Saturday evening, he thought that haste was necessary in order to subserve the interests of all parties. He read this letter to the court, as follows:

Holuloa, Feb. 28, 1902. F. Wundenberg, Receiver, Kona Sugar

Dear Sir-The supplies you furnished from Hackfeld & Co, will be all gone by the time the Mauna Loa returns here, March 5th. The mechanics, as well as all the labor, are very anxious about the result of your visit here, and wish me to give them an answer at once of how they stand, and if their back pay is going to be paid to them. I can't say what will be the result if their money is not forthcoming soon. They are really very serious about it, I assure you, and mean to have their rights. I hear of course all sorts of rumors of what is going to be done. The Japs are holding meetings. I suppose they are discussing the situation; you see numbers of them now traveling the government road back and forth. They are no doubt making their plans. I am more impressed than ever that the men will not allow a stick of cane to be cut until they are settled with in some way. Now suppose you cannot get the necessary coin to carry the plantation, and you send up word to shut down everything, what are those men to do? They have same fix. I will therefore ask you to and prospects for prosperity. send up at least \$2,000, so that I can of what is going to be done. I have to what is due him. They came to me I think their Consul should be asked to communicate with the Japs here. and advise to work in harmony with yourself. And trusting that something definite will be done by March 5th, I

remain, yours truly.

JAMES COWAN.

Mr. Hankey, replying, said that he ed to send, and Mr. Wundenberg had was not until nearly noon that the in- situation, and then give the parties want of time. terested parties received notification here a chance to talk over the matter. would relieve the situation.

taining financial aid, and it is an utter impossibility, as we have visited every bank and every person having monreceiver herein, by his attorneys, J. ey. As the report of the receiver shows, he visited the plantation with a representative of Brewer & Co., and he reported unfavorably, which makes it impossible to borrow funds. This property has been hanging by the eyelids, as it were, for months, and it is a mystery how a big corporation like this managed to run as long as it has been running without paying its labor. The laborers are now in a state of insurrection, and are making threats against the property. As this motion stands now the simple statement of these parties that they want to get together is insufficient. They have had weeks to prepare for this action, and should have been ready to meet it. A very grave responsibility rests on the receiver, and if these men set fire to the cane, as they threaten to do, or commit other depredations, it would be laid at his door. The only natural solution is to dispose of the property at the earliest possible moment to some one who is interested, and would conduct the property so as to satisfy all parties. Mr. Wundenberg has been in constant communication with all parties at interest, and they have been kept advised as to what course was to be taken, and there is no necessity

> plantation. Mr. Hatch, appearing for the defendants, said that he joined with Mr. Hankey in a motion for a continuance. He characterized the motion as a most extraordinary proceeding on the part of the receiver, who he said was appointed to conserve and protect the property, and that it could not be sold unless it was to meet a money judg- sum of \$28,098.02, filed by L. M. Whitement. "The receiver was given pow- house. This amount is claimed for the er to borrow money to keep the plan- construction of 12,100 feet of railroad tation together," said Mr. Hatch, "and track for the Kona Sugar Company, now to bring the parties into court on and for the labor and material fursuch short notice and ask a sale of nished in grading and forming the line the property without giving them a of the railroad. chance to consider it on its merits, is to says the least, extraordinary. It is certain that a sale could not be made today, even upon an order of the court and with the consent of all parties."

for delay, and delay will not help the

CONTINUANCE IS GRANTED. Judge Humphreys granted the motion for a continuance, stating that the receiver had been appointed to conserve "This is something of the property. the nature of an assumpsit suit," said the court; "the plaintiff creditors claim large sums by reason of a contract with the Kona Sugar Company, It ems to me an order of sale without giving the time to hear the motion on its merits, is unwarranted and unnecessary, and would be something like issuing a writ of execution before the negotiations which were pending would tion. judgment is granted. The petition, itis true, shows that the employes are insurrectionary, not having been paid for months, but the allegation of their tempestuous and turbulent disposition is not clear. I think the plaintiff and have the concurrence of all parties, in the defendants in this case are those asking that some day subsequent to most vitally interested in the preservation of the property, and they have bespoken an unwillingness to have the motion heard at this time. I doubt not tical loss of nearly \$200,000. but what the receiver from his invesfor the filing of the motion at this tigation, is convinced that the best course to pursue is the one recommended by him, but yet to grant it summarily upon six hours' notice, and whooping cough and influenza. It has in face of the opposition, would be an become famous for its cures of these unauthorized and arbitrary course to diseases over a large part of the civilpursue. The receiver is the mere judicial caretaker of the plantation.

Receiver Wundenberg, after the or- gravating and persistent coughs it has der of the court had been made, stated cured; of severe colds that have yieldthat in his opinion the action would be ed promptly to its soothing effects, and disastrous to the plantation, as some- of the dangerous attacks of croup it thing definite was immediately sary. "I shall simply write Manager child. The extensive use of it for Cowan tomorrow of the proceedings in whooping cough has shown that it robs court," said he, "though the letter that disease of all dangerous results. cannot do aught but inflame the labor. It is especially prized by mothers beers, who are apparently about to dam- cause it contains nothing injurious; age the plantation property. The and there is not the least danger in whole question appears to hinge upon giving it, even to hobies. It always the attitude of these Japanese labor- cures and cures quickly. Benson, Smith ers, who cannot understand the situa- & Co., Ltd., wholesale agents, sell it.

ONE OF THE KONA VICTIMS PAYS RESPECTS TO HUMPHREYS

He Says With a Man of the Branded Judge's Character on the Bench Public Safety is at Stake.

Editor Advertiser-Noticing in the personal interests prompt them to do official report to the court, that the receiver of the Kona Sugar Company, so far, has not been successful in his entitled to the regard and respect of and interest of said Andrew Banattempt to raise the necessary funds for carrying on the plantation, or even enough to take off the maturing crop, I fear the plantation will have ruptcy and ruined a large number of to be sold at auction to satisfy the creditors. If so, it will make a few rich at the expense of many, and the total ruin of a large number of share- who occupies an office with J. A. Maholders and business people at Kona, goon, the professional guardian and who have invested in good faith all they possess in the world in this corporation, not as speculators, but as on a seat in the judiciary, public safeno money and no credit, and cannot investors, not dreaming of such a sad ty is at stake. My personal opinion get away. The mechanics are in the ending and blighting of all their hopes of this man is such that if I had a

Of course the creditors must and tried before him under any circumsupport the men until they can get shall be satisfied; never mind the poor stances, for fear of losing it, or if I away and pay them a few dollars for investors, they should have used better did not, that the fee allowance to the immediate use. Ever since you left, judgment. If they invested in the attorneys (providing they were friends there has been a continuous clamoring wrong concern, let them bear the con- or relatives of the court) would not sequences; that is no business of the leave anything for me. I know of sevgive every man a statement today of court, who is no loser. Such, evidently, eral such cases that the parties do must have been the reasoning of our want to bring into court just for these in a body and demanded this. I have First Circuit judge, when he appointed reasons. tried to get some information out of Mr. Wundenberg receiver of the Kona the Japs, but cannot learn anything. Sugar Company, a man who for financial reasons, was not acceptable to any Damon, a friend who was able and March, A. D. 1895, and recorded in the one interested, though personally, Mr. willing to help us to the last, but if

Wundenberg is well thought of. tors and shareholders of the Kona Su- a show, and therefore we cannot and together with all and singular the gar Company had acquainted the court | do not blame him. with their desire, and asked it for the | If, consequently, the plantation has appointment of Mr. S. M. Damon as to go under the hammer, I, for myself, receiver, he being the only party will- do not care a straw how soon it will had taken the liberty of inquiring of ing and in a position to handle the be done or how much it will bring, as the receiver what word he had intend- affairs of the company to the satisfact long as the creditors are satisfied, being and in a position to handle the be done or how much it will bring, as the Pioneer Building and Loan Assotion of all concerned, however, all this ing well aware of the fact that we being admitted, the court held that shareholders will not save a dollar out replied that it would be that the plan- being admitted, the court held that shareholders will not save a dollar out that gentleman was altogether out of of our investment, but we shall always A. D. 1898, and recorded in the office tation was to be shut down. "If any- question; firstly, because he was a bear in mind that it was Judge Humthing is to be done," continued Mr. creditor, and again, because he would phreys who caused our ruin, and shall Hankey, "it should be the sending of not be able to give the affairs of the pray that some day he will reap the some money to temporarily relieve the company the necessary attention, for harvest of what he has sown.

There is nothing in this petition which as receiver meant the saving of the us annexation with its blessings, but plantation, and a large number of its he also gave us one of the worst curses Mr. Magoon, replying for Receiver

ed every means in Honolulu of obs court. Had the petitioners anticipated such an outcome they would never have rei. asked for the appointment of a receiver.

I claim to be a good, law abiding moment he touched Hawaiian soil, he American citizen, and as such, have, landed here a pauper and a fraud by and always have had the highest respect for our law courts, as long as they are conscious of their duties and dispense without partiality justice and protection to all alike: but when they cease to regard their duties and the people's interest and interpret the laws to suit themselves and their relatives; when they shrink and expand at will, whenever their whims, humors and

took all they could get at one time

do so. Already \$2,500 has been spent,

and I do not feel justified in expending

any more, even though I could bor-

row the remainder of the \$10,000 which

Judge Humphreys authorized me to

borrow, to pay the immediate expenses.

definite yet, and he will have to do

the best he can until the people here

decide upon some course. I do not see

what can be done here though, and I

feel that the delay will be disastrous

to the plantation's interests. I would

have liked to see the plantation con-

tinued, but there appears to be no one

willing to lend money, after the re-

LIEN FILED BY WHITEHOUSE.

a notice of lien of material men in the

MAY FINANCE KONA

Negotiations Which May Lead to

Closing of Receivership

that negotiations were pending which

might indicate a successful settlement

of the difficulties of the Kona Sugar

tors to finance the plantation. Mr.

McChesney stated, however, that the

not be concluded before the sailing of

the steamer today, and he was not

certain that they would be success,

fully terminated at all. If anything

is to be done it must be immediately

Mr. Wundenberg reports that if the

cane is left untouched two weeks long-

er it will be almost a total loss, and

nothing will save the plantation. The

Chamberlain's Cough Remedy is in-

tended especially for coughs, colds,

failure to cut this crop means a prac-

Mr. R. W. McChesney said last night

Added to these other troubles, came

port made by Brewer & Co's agents."

cannot tell Manager Cowan anything

MINISTERIAL UNION MEETS. tion. I have sent up \$1,200 worth of provisions, and they should have sufficient to last for a month, but they That Body Elects Officers for the Ensuing Six Months. They will not take off the cane until they have received their money now At the meeting of the Ministerial due, and will not allow anyone else to

for a more conscienceless and danger-

ous character never entered Hawaii

federate money, wrapped up in a gen-

uine United States of America certifi-

cate of small value, instead of the \$50

passenger who wanted to land here at the time of his arrival.

OF JUDGE HUMPHREYS.

A SHAREHOLDER AND VICTIM

Union held yesterday morning at Central Union Church, an election of officers to serve for six months was held with the following results: President, Rev. O. H. Gulick; secretary-treasurer, Rev. J. B. Waldron. The program committee is as follows: Rev. J. P. Erdman and Rev. J. Leadingham. The principal feature of the morning

was a paper read by Rev. W. M. Kincaid. A discussion on the general religious work of the Islands was had.

SEVEN TO ONE

From reports received we igure that one bottle of Scott's Imulsion sometimes builds even times its weight of solid, lealthy flesh! Why is this so? Because Scott's Emulsion is tself the richest and most

Because Scott's Emulsion gives strong appetite.

digestible of foods.

Because Scott's Emulsion to be had at Wall Nichols & Co. makes all good food do goodstrong stomach-strong diges-

Because Scott's Emulsion wakes up the dormant systemnew life to the tissues-so that the body uses it's food for bone making and flesh building.

We'll send you a little to try if you like. SCOTT & BOWNE, 409 Pearl street, New York.

Notice to Present Accounts.

CREDITORS OF THE INTER-ISL The ized world. The most flattering testi- and Telegraph Co., Ltd., are requested motion for a continuance will be al- monials have been received, giving ac- to file statements of accounts immedicounts of its good works; of the ag-

CLINTON J. HUTCHINS, Treasurer L.-I. T. Co., Ltd. P. O. Box 369.

New Millinery

Many new designs being shown at the arlors of

> MISS N F. HAWLEY Advance Spring Styles.

BY AUTHORITY

SHERIFF'S SALE NOTICE

UNDER AND BY VIRTUE OF AN execution issued out of the Circuit Court of the First Judicial Circuit of the Territory of Hawaii on the 19th day of February, A. D. 1902, in re matter of Aseu Brown vs. Andrew Bannister, I have, on this 21st day of February, A. D. 1902, levied upon, and shall expose for sale at public auction, to the highest bidder, at the Police Station, Kalakana Hale, in Honolulu, Island of Oahu, Territory of Hawaii, at 13 o'clock noon of Friday, the 4th day of April, A. D. 1902, all the right, title nister, in and to the following described property, unless the judgment, amounting to Two Thousand Five Hundred and Fifty-eight Dollars, interest, costs and my expenses are previously paid:

appointment as receiver of the Kona Sugar Company, of Mr. Wundenberg, No. 1-That certain piece or parcel of land situate at Kalihi, Island of Oahu, on the Ewa side of Kalihi road, brother-in-law of said Judge Humknown as lots 20 and 21, as described in a map made by R. W. Wilcox in January, 1897, and described as fol-

Commencing at the southwest corsure case, I should not want to see it ner of Leilani and Fernandez streets, and running:

S. 50° E. 100 feet,

N. 35° E. 100 feet,

N. 50° W. 100 feet,

S. 35° W. 100 feet, to the initial point, containing an area of 10,000 square feet, as per deed of A. Fernandez to A. T. Bannister, dated the 27th day of office of the Registrar of Conveyances In a unanimous petition, the credi- his, as the court would not give him in said Honolulu, in liber 177, folio 317, buildings and improvements thereon. Subject, however, to that certain mortgage made by said A. T. Bannister to ciation of Hawaii, for \$600.00, with interest thereon, dated November 21st, of the Registrar of Conveyances in said

Honolulu, in liber 196, page 186.

No. 2-That certain piece or parcel Much we owe to our late martyr, of land situate at Kalihi aforesaid, de-That the appointment of Mr. Damon President William McKinley, who gave scribed in Royal Patent 4976, kuleana 1049, containing an area of 5 86-100 acres shareholders, from total ruin, was not we ever had, in the appointment of more or less, and being the same premimmediate hearing, at 2 o'clock in the Wundenberg said: "We have exhaust- thought worth the consideration of the Humphreys to a seat in our judiciary, ises conveyed by William Savidge, trustee, to Mary MacPherson and husband, on the 11th day of February, A. D. 1899, which deed is recorded in the As he, himself, confessed, he committed himself against the law the very office of the Registrar of Conveyances, aforesaid, in liber 189, page 360, and being the same property conveyed by deceiving the custom house guards in showing them a roll of valueless Con- Mary MacPherson and husband to A. T. Bannister, which deed is recorded in the office of the Registrar of Congood money required by law of any veyances aforesaid, in liber 201, page 482, together with all and singular the buildings and improvements there-

CHAS, F. CHILLINGWORTH, Deputy Sheriff, Ter. of Hawaii. Honolulu, Oahu, Feb. 28, 1902. 6100-March 3, 4, 20; April 3,

OPERA HOUSE

Saturday Evening March 15

Grand Production

CIDENTS IN

Ancient Hawaiian History

Adapted for the stage by the Hawaii Ponoi Dramatic Company, to be pre-sented in English by Native Hawalians on Saturday evening, will be produced

The Lady of the Twilight New Scenes! New Costumes! New Congs!

A musical interlude by the Company. PART II. LANDING OF LONG AND HIS

DEATH. Characters by the Company. A scene of realistic accuracy has been specially designed and painted for these representations.

RESERVED SEATS

NOTICE.

ALL PERSONS HAVING CLAIMS against the Austin Publishing Company will please present the same, certified, at the office of Andrade, Peters & Andrade, Stangenwald building, before April 1, 1902. ANDREWS, PETERS & AN-

DRADE,

Attorneys for the Austin Publishing Company.

NOT!CE

ANY WOMAN OR GIRL NEEDING help or advice, is invited to communicate, either in person or by letter, with Ensign Hattle E. Larrabee, matron of the Salvation Army Woman's Industrial Home, 488 King street, Ho-nalulu 6058

NOTICE

DR. M. E. GROSSMAN, THE DENtist, announces that his office will be closed until March 26th, or thereabouts. Announcement will be made of his re-turn from San Francisco. 6102

NOTICE.

PRINCESS KAWANANAKOA will receive on the first and third Tuesdays of each month at Pualeilani, Waikiki, from 3 to 6 p. m.